

FEDERAL SECURITY AGENCY**FOOD AND DRUG ADMINISTRATION****NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG,
AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

7901-7925**FOODS**

The cases reported herewith were instituted in the United States District Courts by the United States attorneys acting upon reports submitted by direction of the Federal Security Administrator.

WATSON B. MILLER, *Acting Administrator, Federal Security Agency.*

WASHINGTON, D. C., August 27, 1945.

VITAMIN PREPARATIONS AND FOODS FOR SPECIAL DIETARY USES

7901. Adulteration and misbranding of Vita-Slim. U. S. v. 480 Jars of Vita-Slim, a Number of Display Cards, and 500 Copies of a Circular. Default decree of condemnation and destruction. (F. D. C. No. 14027. Sample No. 85664-F.)

LIBEL FILED: October 16, 1944, District of Colorado.

ALLEGED SHIPMENT: Between the approximate dates of August 11 and September 18, 1944, by the Vitamin Industries, from Omaha, Nebr.

PRODUCT: 480 jars, each containing 12 ounces, of Vita-Slim, a number of display cards, reading, in part, "Vita-Slim To Help You Reduce," and 500 copies of a circular entitled, "Vita-Slim Helps You To Reduce Your Figure," at Denver, Colo.

Examination of a sample showed that the article contained soya flour and sugars together with small amounts of compounds of calcium, phosphorus, iron, iodine, magnesium, and manganese; and that it was more than 70 percent deficient in calcium, phosphorus, iron, and iodine.

LABEL, IN PART: "Vita-Slim Soya & Vitamin Food Drink."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), valuable constituents, calcium, phosphorus, iron, and iodine, had been in whole or in part omitted or abstracted from the article.

Misbranding, Section 403 (a). The label statements, "One serving of 2 teaspoonfuls, (1½ ounce) provides not less than the minimum daily requirements (if such requirement has been determined) of the following * * * minerals. * * * Calcium ----- 300 Milligrams Phosphorus ----- 500 Milligrams Iron ----- 15 Milligrams Iodine ----- 0.1 Milligram," were false, since the article contained lesser amounts of the ingredients than declared. The labeling statements quoted below were false and misleading since they represented and suggested that use of the article would quickly, safely, and easily effect loss of body weight, whereas use of the article would not accomplish the results suggested and implied: (Label) "Vita-Slim"; (circular entitled "Vita-Slim Helps You to Reduce Your Figure") "The amazing successful development of nutrition scientists Vita-Slim Helps You To Reduce Your Figure Safely Quickly Easily It's New! It's Safe! It's Quick! Vita-Slim Nourishes Your Body

While You Reduce * * * Helps You Control Your Appetite * * *
 Actually Makes Reducing Pleasant No need to shock your entire system with
 drugs, chemicals, sustained steam treatments, 'starvation diets', and many
 other dangerous routines. Two teaspoonfuls of Vita-Slim provide the full daily
 requirements of all essential vitamins and minerals and thereby gives full pro-
 tection against any possible deficiency. Fit Your Figure Now To The New
 Silhouette * * * Vita-Slim * * * No Harmful Drugs No Danger-
 ous Chemicals No Annoying Treatments * * * Every day of delay is
 just another day you've missed the priceless joy of owning a trim figure . . .
 a healthy figure . . . lovely for all to behold"; (display card entitled "Vita-Slim
 to help you Reduce Weight") "Vita-Slim to help you Reduce Weight! Safely
 . . . Quickly . . . Easily * * * No Harmful Drugs No Dangerous
 Chemicals No Annoying Treatments."

Further misbranding, Section 403 (j), the article purported to be and was
 represented as a food for special dietary uses by man by reason of its vitamin,
 mineral, or other dietary properties, and its label failed to bear, as required by
 the regulations, a statement of the proportion of the minimum daily require-
 ments of vitamins A, B₁, B₂, C, and D, and the proportion of the minimum
 daily requirements of the minerals calcium, phosphorus, iron, and iodine sup-
 plied by such food when consumed in a specified quantity during a period of
 1 day; its label also failed to bear a statement that the need in human nutrition
 for the vitamins calcium pantothenate, vitamin E, and vitamin B₆ has not been
 established, and a statement of the quantity of vitamin B₆ in a specified quantity
 of the food.

DISPOSITION: October 27, 1944. No claimant having appeared, judgment of
 condemnation was entered and the product was ordered destroyed.

**7902. Misbranding of Benefax Vitamin B Complex, Vitamins A & D, and Multi
 Vitamins. U. S. v. 44 Boxes and 22 Bottles of Benefax Vitamin B Complex,
 332 Boxes and 166 Bottles of Benefax Multi * * * Vitamins, and
 310 Boxes and 166 Bottles of Benefax Vitamins A & D. Decrees of con-
 demnation. Products ordered released under bond. (F. D. C. No. 12121.
 Sample No. 33885-F.)**

LIBEL FILED: April 3, 1944, Western District of New York.

ALLEGED SHIPMENT: On or about September 25, 1943, by the Anacin Co., from
 Jersey City, N. J.

PRODUCT: 22 14-capsule boxes, 22 28-capsule boxes, and 22 100-capsule
 bottles of Benefax Vitamin B Complex; 166 14-capsule boxes, 166 28-capsule
 boxes, and 166 100-capsule bottles of Benefax Multi Vitamins; and 144 14-
 capsule boxes, 166 28-capsule boxes, and 166 100-capsule bottles of Benefax
 Vitamins A & D, at Rochester, N. Y.

Examination of samples indicated that the various articles had essentially
 the vitamin content specified on the labels.

LABEL, IN PART: "Benefax Vitamins A & D * * * Each Gelatin Capsule
 Provides Vitamin A . . . 5,000 U. S. P. Units * * * Vitamin D . . .
 1,000 U. S. P. Units," "Benefax Multi * * * Vitamins * * * Each
 Gelatin Capsule Provides Vitamin A * * * . . . 5,000 U. S. P. Units
 Vitamin B₁ * * * . . . 1.5 Milligrams Vitamin C * * * 15 Milli-
 grams Vitamin D * * * . . . 1,000 U. S. P. Units Vitamin B₂ (G)
 * * * . . . 2 Milligrams Niacin Amide * * * . . . 10 Milligrams,"
 or "Benefax Vitamin B Complex * * * Each Gelatin Capsule Provides
 Vitamin B₁ * * * . . . 1.5 Milligrams Vitamin B₂ (G) * * * . . . 2
 Milligrams Vitamin B₆ * * *125 Milligrams Niacin Amide
 * * * . . . 10 Milligrams Calcium Pantothenate25 Milligrams
 Plus 1 Grain of Fresh Whole Liver and ¼ Grain of Brewer's Yeast."

VIOLATION CHARGED: Misbranding, Section 403 (a), the following statements
 on the display card accompanying the articles were misleading since they rep-
 resented and suggested that the articles would be competent and effective
 treatments for the various conditions mentioned, whereas they would not be
 competent and effective treatments for those conditions: (B Complex) "A
 Sure-Fire Way of Selecting your vitamins Tired Out? Nervous? Due to
 shortage of B-Complex vitamins Select the Red Capsules * * * Which
 Vitamins For Your Customers? Tire Easily. Edgy Nerves. Irritable. Poor
 Appetite. Due to shortage of B-Complex Red Capsules Red Box B
 Complex"; (Multi Vitamins) "A Sure-Fire Way of selecting your vitamins
 * * * Run Down Generally? Due to shortage of several vitamins Select
 the Orange Capsules * * * Which Vitamins For Your Customers?"